

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES PITNER,) CASE NO. C05-1646-TSZ-MAT
)
Petitioner,)
)
v.)
) ORDER DENYING § 2254 PETITION
ALICE PAYNE,)
)
Respondent.)
_____)

The Court, having reviewed petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, respondent's answer, petitioner's response, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, any objections thereto, and the balance of the record, does hereby find and ORDER:

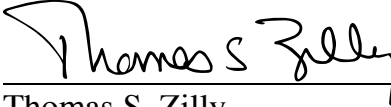
- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's petition for a writ of habeas corpus (Doc. #4) is DENIED with prejudice.

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01 (3) The Clerk is directed to send a copy of this Order to petitioner, to counsel for
02 respondent, and to Judge Theiler.

03 DATED this 31st day of May, 2006.

04 
05 Thomas S. Zilly
06 United States District Judge
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